

### **REMARKS**

The Final Office Action mailed June 29, 2009 (*hereinafter* Action) has been received and its contents carefully considered. A Request for Continued Examination (RCE) is being filed concurrently herewith. By this Amendment, claims 1 and 5 have been amended. Support for amended claims 1 and 5 can be found at least, for example, on page 8, lines 14-25, and page 9 line 25 to page 10 line 4, and in FIGs. 2, 6, and 7. The Applicant believes that no new matter has been added.

Accordingly, upon entry of this Amendment, claims 1, 5, and 9-11 are pending in the application. The Applicant thanks the Examiner for the careful consideration of this application. Based on the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections, and that they be withdrawn. Reconsideration is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 103(a)**

##### **Claims 1, 5, and 9-11**

Beginning on page 2, the Action has rejected claims 1, 5, and 9-11 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,957,337 to Chainer et al. (*hereinafter* Chainer) in view of Japanese Patent No. 2003044892 to Hideaki et al. (*hereinafter* Hideaki). The Applicant respectfully traverses this rejection.

As to claim 1, the Applicant submits that independent claim 1, as amended, is patentable over Chainer in view of Hideaki for at least the following reason.

Chainer in view of Hideaki fail to teach:

discriminating whether or not the use of an authenticating personal

property apparatus is permitted, using a discriminating unit, on the basis of the authenticating medium **validity term data** and the at least one **use authority datum** based on the **unique registrant identifier** read from the personal property; (emphasis added)

as recited, *inter alia*, in amended claim 1.

Applicant agrees with Examiner on page 3 of the action where the Action states, “Chainer fails to disclose [sic] ‘searching data of the personal property and discriminating whether or not the use of an authenticating personal property apparatus is permitted on the basis of the searched data.’” Specifically, Chainer does not disclose, “discriminating whether or not the use of an authenticating personal property apparatus is permitted, using a discriminating unit, on the basis of the authenticating medium **validity term data** and the at least one **use authority datum**,” as recited, *inter alia*, in amended claim 1.

Hideaki fails to remedy the deficiencies of Chainer. Hideaki describes visitor management equipment for handling visitors at a place of business. Hideaki ¶ 1. Hideaki discloses identification and verification of visitors through the use of facial recognition, iris, fingerprint, and a voiceprint. *Id.* ¶ 91. As asserted by the Action on page 4, Hideaki discloses a “personal digital assistant 100A with fingerprint that is transmitted to the management equipment 10 for matching that fingerprint in the management tools for visitors.” Further, the Action also states that “the management equipment 10 discern[s] the personal property if the fingerprint does not match and it can automate to a visitor and the work which publishes discernment material can be quickly done on him.” Thus, according to the action, Hideaki discloses using a personal digital assistant to scan and transmit a fingerprint to another device that can match the received

fingerprint with a known fingerprint. The Action cites the English-language translation of Hideaki at paragraphs [0092] and [00141], but Hideaki does not include a paragraph [00141]. As such, the Applicant was unable to verify the assertion by the Action.

Nonetheless, nowhere does Hideaki disclose “discriminating whether or not the use of an authenticating personal property apparatus is permitted, using a discriminating unit, on the basis of the authenticating medium **validity term data** and the at least one **use authority datum**,” as recited, *inter alia*, in amended claim 1.

Thus, Chainer and Hideaki fail to teach:

discriminating whether or not the use of an authenticating personal property apparatus is permitted, using a discriminating unit, on the basis of the authenticating medium validity term data and the at least one use authority datum based on the unique registrant identifier read from the personal property;

as recited, *inter alia*, in amended claim 1.

Therefore, neither Chainer or Hideaki, alone or in combination disclose or suggest all elements of claim 1, for at least the above reason. Hence, claim 1 is patentable.

Claim 5 contains similar features to that of claim 1 and is therefore allowable for at least the same reasons given for claim 1.

Claims 9-11 depend from allowable claims 1 or 5. Therefore, claims 9-11 are allowable as being dependent from an allowable claim.

Applicant respectfully requests withdrawal of this rejection.

**CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Dated: October 27, 2009

Respectfully submitted,

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